



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

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Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 10-1358
Released: July 23, 2010

**DOMESTIC SECTION 214 APPLICATION FILED FOR THE ACQUISITION OF CERTAIN
ASSETS OF VERACITY COMMUNICATIONS, INC. AND BROADWEAVE NETWORKS, INC.
BY VERACITY NETWORKS, LLC**

STREAMLINED PLEADING CYCLE ESTABLISHED

WC Docket No. 10-130

Comments Due: August 6, 2010
Reply Comments Due: August 13, 2010

On March 29, 2010, Veracity Communications, Inc. (Veracity) and Broadweave Networks, Inc. (Broadweave) and Veracity Networks, LLC (Veracity Networks) (collectively, Applicants) filed an application pursuant to section 63.03 of the Commission's rules to transfer certain assets of Veracity and Broadweave to Veracity Networks.¹

Veracity, a Utah corporation, provides telecommunications services to enterprise customers in Utah. Drew Peterson and Kevin Mayberry, both U.S. citizens, each hold thirty four percent ownership interests in Veracity. Broadweave, also a Utah corporation, provides telecommunications services to residential customers in Utah. Broadweave is owned by CM2 Investments, LLC (CM2) (22.08%) and E-Net Three, LLC (E-Net Three) (32.60%), both U.S. entities. CM2 is owned by the following U.S. citizens: John R. Miller (80%); J. Ryan Miller (10%) and Lane Critchfield (10%). Veracity Networks, a Delaware corporation, was newly formed for the purposes of this transaction. E-Net Three is owned by the following U.S. entities: Bruce Bastian (37%); Melanie Bastian (20%); Allen and Karen Ashton (20%) (through AK Holdings, a U.S. entity).

Pursuant to the terms of the proposed transaction, Veracity and Broadweave will contribute all of their telecommunications assets and operations to Veracity Networks. In exchange, Veracity and Broadweave will each receive a fifty percent ownership interest in, and management and control of, Veracity Networks. Applicants assert that the proposed transaction is entitled to presumptive streamlined treatment under section 63.03(b)(2)(i) of the Commission's rules and that a grant of the application will serve the public interest, convenience, and necessity.²

¹ 47 C.F.R. § 63.03; *see* 47 U.S.C. § 214. Applicants are also filing applications for transfer of control associated with authorization for international services. Any action on this domestic section 214 application is without prejudice to Commission action on other related, pending applications.

² 47 C.F.R. § 63.03(b)(2)(i).

GENERAL INFORMATION

The Wireline Competition Bureau finds, upon initial review, that the transfer of control identified herein is acceptable for filing as a streamlined application. The Commission reserves the right to return any transfer of control application if, upon further examination, it is determined to be defective and not in conformance with the Commission's rules and policies. Pursuant to section 63.03(a) of the Commission's rules, 47 C.F.R. § 63.03(a), interested parties may file comments **on or before August 6, 2010**, and reply comments **on or before August 13, 2010**. Unless otherwise notified by the Commission, the Applicants may transfer control on the 31st day after the date of this notice.³ Comments must be filed electronically using (1) the Commission's Electronic Comment Filing System (ECFS) or (2) the Federal Government's e-Rulemaking Portal. See 47 C.F.R. § 63.03(a) ("All comments on streamlined applications shall be filed electronically . . ."); *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Comments may be filed electronically using the Internet by accessing the ECFS, <http://www.fcc.gov/cgb/ecfs/>, or the Federal e-Rulemaking Portal, <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
- For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.

In addition, e-mail one copy of each pleading to each of the following:

- 1) The Commission's duplicating contractor, Best Copy and Printing, Inc., fcc@bcpiweb.com; phone: (202) 488-5300; fax: (202) 488-5563;
- 2) Tracey Wilson-Parker, Competition Policy Division, Wireline Competition Bureau, tracey.wilson-parker@fcc.gov;
- 3) Dennis Johnson, Competition Policy Division, Wireline Competition Bureau, Dennis.Johnson@fcc.gov;
- 4) David Krech, Policy Division, International Bureau, david.krech@fcc.gov; and
- 5) Jim Bird, Office of General Counsel, jim.bird@fcc.gov.

Filings and comments are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. They may also be purchased from the Commission's duplicating contractor,

³ Such authorization is conditioned upon receipt of any other necessary approvals from the Commission in connection with the proposed transaction.

Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554; telephone: (202) 488-5300; fax: (202) 488-5563; e-mail: fcc@bcpiweb.com; url: www.bcpiweb.com.

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For further information, please contact Tracey Wilson-Parker at (202) 418-1394 or Dennis Johnson at (202) 418-0809.

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